

**CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. §1.6(d)**

I hereby certify that this correspondence, along with accompanying documents, pursuant to 37 C.F.R. §1.6(d), are being sent via facsimile to (703) 872-9306, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: 12-7-04By: *Qui Neto*

Signature of Person Depositing Facsimile

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE****PATENT**

Applicant(s):	Marks	Atty. Docket No.:	36207.0100
Serial No.:	09/698,640	Examiner:	Fults, Richard C.
Filed:	October 27, 2000	Group Art Unit:	3628
Title:	METHODS AND APPARATUS FOR ONLINE AUCTIONS AND MARKET-PLACES UTILIZING PROGRAM TERMS	Confirmation No.:	4914

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed June 7, 2004, finally rejecting claims 1-4, of which the period for response is hereby extended three (3) months, to and including Decemberr 7, 2004.

Pursuant to 37 C.F.R. § 1.17(b) and 37 C.F.R. §1.17(a)(1), the Commissioner is hereby authorized to debit the small entity fees due in the amount of \$660.00 from Deposit Account No. 19-2814, which includes \$170.00 for filing the Notice of Appeal, and a 3-month extension fee in the amount of \$490.00, **for which purpose a duplicate copy of this notice is enclosed.** In the event of any deficiency or overpayment in the authorized fee, the Commissioner is hereby authorized to charge any such deficiency or credit any such overpayment to Deposit Account No. 19-2814, **for which purpose a duplicate copy of this notice is enclosed.** **This statement does not authorize charge of the Issue Fee.**

Respectfully submitted,

Date: 12/7/04*[Signature]*  
Daniel R. Pote, Reg. No. 43,011

Snell & Wilmer L.L.P.  
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